

CHAPTER 1346

C-4 Regional Center Districts

The Regional Center Districts are for the purpose of accommodating a broad variety of retail, office and residential uses integrated with hotels, convention centers, and integrated common parking facilities. Internal linkage between stores is encouraged. It is extremely important that new development be integrated with historically significant buildings. The first floors of buildings are primarily for retail, financial services and restaurants. Dominant and striking visual features of the central area of the City should be maintained and enhanced. The upper stories of buildings are generally to be occupied by offices, services and residences. High density housing is also appropriate.

It is the intent of these districts to create streets which encourage pedestrian activity. Buildings along Boardman River should be designed to integrate with both the sidewalk and riverwalk systems. Driveways crossing sidewalks should be limited to public parking areas.

CROSS REFERENCES

Zoning and planning in home rules cities - MCLA 117.4i

Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581

Regulation of buildings; authority to zone - MCLA 125.582

Regulation of congested areas - MCLA 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a

Signs - B & H Chapter 1476

1346.01	Uses allowed.	1346.06	Building height.
1346.02	Uses allowed by special land use permit.	1346.07	Accessory buildings.
1346.03	Lot, density and impervious surface provisions.	1346.08	Parking, loading and driveways.
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1346.01 USES ALLOWED.

The following uses of land and buildings, together with accessory uses, are allowed in these districts:

- GP district uses;
- C-3 district uses, except the following: drive-ins, drive-throughs, sexually-oriented businesses, vehicle wash facilities, veterinary services and kennels;
- Boat liveries;
- Convention centers;
- Drinking places with or without entertainment;
- Markets, public or municipal;
- Parking areas, private, for dwelling units (limited to one per dwelling unit); subject to Chapter 1374.

- Parking areas, private, interior, subject to the following standards:
 - (1) Parking area is accessed from the alley,
 - (2) Parking area is fully enclosed within a building,
 - (3) Parking surface is on average, at least four feet below the street elevation or is fronted with habitable space.
 - Parking areas, private, subject to the following standards:
 - (1) Access shall be limited to one driveway per public street or two driveways per site, whichever is less.
 - (2) The parking is accessory to an allowed use.
 - (3) There can be demonstrated a need for private parking which will not be satisfied by existing public parking within 500 feet of the proposed use, except for private parking areas for dwelling units or interior private parking areas;
 - (4) All requirements of Chapter 1374, *Circulation and Parking*, are met, except Section 1374.03(d), *Parking Space Requirements*.
 - (5) All requirements of Sections 1372.04, *Screening Requirements for Parking Areas*, and 1372.05, *Landscape Development Internal to a Parking Area* are met.
 - (6) Pedestrian travel routes within the parking area shall be provided, clearly defined and approved by the Planning Director.
 - Parking areas, public, subject to the following standards:
 - (1) Access shall be limited to one driveway per public street or two driveways per site, whichever is less.
 - (2) All parking areas which abut a public street shall be set back a minimum distance of eight feet from the property line along said street and shall provide in this setback area appropriate screening with plant materials or a combination of plant materials, berming and decorative screenwalls to a minimum height of three feet.
 - (3) Pedestrian travel routes within the parking area shall be provided, clearly defined and approved by the Planning Director.
 - (4) Unless herein varied, the Landscaping and Site Development Chapter shall apply.
 - Parking structures, public or private, subject to the following standards:
 - (1) Parking structures shall be designed to have horizontal versus stepped or sloping levels at areas of public view. Ramping shall be concealed from public view to the greatest degree possible.
 - (2) Openings shall not exceed 60% of the total wall surface. Openings shall be vertical or square.
 - (3) Sloped roofs are not required for parking decks, however:
 - A. The upper and lowest level of parking shall incorporate sufficient screening to shield cars from public view.
 - B. Parapet treatment is required to terminate the deck and give proper architectural finish to the structure. Cornices, overhangs and other devices which are consistent with the language of historical buildings may be employed.
 - (4) The design of parking decks shall be consistent with the design of historical buildings in the area.
 - Theaters, live and performance art centers.
- (Ord. 476. Passed 7-6-99. Ord. 677. Passed 5-2-05. Ord. 782. Passed 2-4-08. Ord. 825. Passed 2-2-09.)

1346.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

The following uses of land and buildings, together with accessory uses, are allowed in these districts if a special land use permit is issued according to the standards of this Code:

- Communication towers;
- Drive-throughs for finance services;
- Essential services buildings;
- Parking areas, private, if public parking is available within 500 feet of the allowed use;
- Taller buildings in the C4-b or C4-c district;
- Transit centers.

(Ord. 476. Passed 7-6-99. Ord. 610. Passed 9-2-03. Ord. 677. Passed 05-02-05. Ord. 779. Passed 1-7-08.)

1346.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
No minimum.	No minimum.	N/A	100% maximum.

The surface parking area shall not exceed the total floor area of all buildings on the lot.

(Ord. 476. Passed 7-6-99. Ord. 684. Passed 10-03-05.)

1346.04 SETBACKS**(a) Front setbacks:****Building:**

2.5 feet minimum, except existing buildings that have been damaged by fire, explosion, act of God or similar causes and located closer than 2.5 feet may be restored or rebuilt at the same location using the same foundation unless the foundation is located in the right-of-way. 8 feet maximum.

Private parking area:

Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line.

(b) Side setbacks (minimum):**Building:****One side/Aggregate:**

None, except 10-foot side setback is required on any side abutting or across an alley from an R-district.

Private parking area:

5 feet, except a 10-foot setback is required on any side abutting an R-district.

(c) Rear setbacks:

None, except a 5 foot setback if abutting an alley. A 20-foot setback is required if abutting or across an alley from an R-district.

(d) Corner lots and through lots shall have a front setback on each street.**(e) Water setbacks:**

May build to the edge of a public easement; if no

public easement, then 10 feet inland from the ordinary high water mark or any dockline established by City ordinance.

(f) Bridge setbacks:

Buildings shall be set back a distance of 25 feet from any bridge abutment unless otherwise approved by the City Engineer if he or she determines that the building will not interfere with the maintenance or reconstruction of the bridge and that utilities will not be adversely impacted.

(Ord. 476. Passed 7-6-99. Ord. 512. Passed 9-18-00. Ord. 576. Passed 10-7-02. Ord. 685. Passed 10-03-05. Ord. 818. Passed 1-5-09.)

1346.05 ENCROACHMENTS INTO THE SETBACKS.

No encroachments into setbacks are allowed except a building, balcony, porch or deck may project no more than five feet into a rear setback provided these projections are not less than 15 feet above grade and provided they do not project into any public right of way and except eaves, chimneys, sills, belt courses, cornices and ornamental features not to exceed two and a half feet are permitted to extend within the front or rear setbacks.

(Ord. 476. Passed 7-6-99. Ord. 511. Passed 9-18-00. Ord. 577. Passed 10-7-02.)

1346.06 BUILDING HEIGHT.

- (a) **Building Height:** Buildings in the C-4 District shall have a minimum height of thirty (30) feet and a maximum building height as listed below. An existing building may have a one-story addition of no larger than the area of the first floor of that building as it existed on the effective date of Ordinance No. 467, which is July 16, 1999. More than sixty (60) feet in height may be allowed only by special land use permit or as part of a planned unit development and subject to the requirements listed below.

C-4a: 45 feet maximum.

C-4b: 60 feet maximum. Sixty-eight (68) feet in height is allowed if at least 20% of the building is designed and used for dwellings.

C-4c: 85 feet maximum. An additional 15 feet shall be allowed for permitted uses that are designed and positioned in a manner that will effectively shield rooftop mechanical equipment or elevator shafts, but not to exceed an overall height of 100 feet. Buildings over 60 feet tall shall have at least 20% of the building designed and used for dwellings. That portion of the building with a finish floor elevation of 45 feet or greater must be recessed at least 10 feet from the first floor building facade.

- (b) **Exceptions:** The following are exceptions to the above height restrictions:

(1) **Steeple and clock towers** may be erected in a C-4a district up to a height not exceeding 60 feet.

(2) **Parapet walls** may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

(Ord. 476. Passed 7-6-99. Ord. 528. Passed 3-19-01. Ord. 548. Passed 12-17-01. Ord. 561. Passed 4-1-02. Ord. 631. Passed 4-19-04. Ord. 686. Passed 10-03-05. Ord. 692. Passed 12-05-05. Ord. 733. Passed 3-19-07.)

1346.07 ACCESSORY BUILDINGS.

An accessory building shall:

- (a) Only be permitted in the rear yard, except accessory buildings may be located streetward of the principal building on the less traveled street on through lots.
- (b) Be located no closer than 4 feet to any side or rear property line. A boat house up to 250 sq. feet gross floor area may be built to the water's edge.

(Ord. 476. Passed 7-6-99. Ord. 554. Passed 2-4-02.)

1346.08 PARKING, LOADING AND DRIVEWAYS.

No parking is required in this district, however, if parking is provided, it must meet the standards contained in Chapter 1374, *Circulation and Parking* and restrictions of this chapter.

(Ord. 476. Passed 7-6-99.)

1346.09 SPECIAL REQUIREMENTS.

To preserve and reinforce the context of historic buildings and land to establish development patterns of the Regional Center district, all new buildings and additions to existing buildings are to be designed and constructed in accordance with the following standards:

- (a) The predominant building wall and entryway shall face the public or private street.
- (b) Unless determined to be impractical by the Planning Director, the building width shall not be less than 90 percent of the property width at the street.
- (c) Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street facing wall may be achieved with wall offsets in combination with pilasters, corbeling or other permanent architectural elements; however, offsets in any wall shall not be less than eight inches from the subject plane.
- (d) Horizontal building modulation, like awnings, balconies and roof features shall be used to reduce the perceived mass of a large building.
- (e) Fenestration, cornices and other architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the area.
- (f) Window glass planes shall be recessed at least four inches from the outside of all building walls to create a shadow line except in bay windows and to other projecting window elements.
- (g) Clear or lightly tinted transparent glass shall be used for all windows facing a public street. Decorative stained glass may be used for accents. Mirrored, smoked and darkly tinted glass is prohibited.
- (h) New buildings and additions to existing buildings, including parking structures, shall be constructed of durable materials utilizing the predominant building materials of traditional brick and stone used in the Regional Center District or constructed of materials of comparable aesthetic value.
- (i) Any rooftop equipment shall be enclosed or screened from street level view using the same materials used for the building walls or a material which is approved by the Planning Director as visually compatible with the building.
- (j) Except for buildings that are solely residential, windows or street level activities are required on 50 percent of the first story street wall facing any public street. Street level activities include public display space, public atriums, pedestrian entrances and exterior

circulation.

(k) For each 90 feet of linear building frontage, pedestrian entrances are required. Pedestrian entrances may open onto the sidewalk or mid-block passages or walkways leading to the public right-of-way. Entries must be prominently identified and must not interfere with safe pedestrian passage along walkways. Primary entries must set back a minimum four feet from the property line.

(l) All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street level entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted merely granting an advantage or convenience.

(Ord. 476. Passed 7-6-99. Ord. 545. Passed 10-15-01. Ord. 631. Passed 4-19-04; but with no changes to existing ordinance. Ord. 684. Passed 10-03-05. Ord. 687. Passed 10-03-05. Ord. 996. Passed 6-2-14)